

### REMARKS

Claims 1-13 are pending in the application. Applicants amend claims 1 and 12 for further clarification. No new matter has been added.

Applicants acknowledge with appreciation the Examiner's allowance of claim 13 and the finding that claims 2-11 contain allowable subject matter. Applicants respectfully submit that claim 1, from which claims 2-11 depend, is patentable over the reference cited against it, as demonstrated below. As such, Applicants respectfully request that the Examiner also allow claims 2-11, which depend from allowable claim 1.

Claims 1 and 12 stand rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,341,224 to Dohi et al.

The Examiner conducted a telephone interview with Applicants' undersigned representative, Mr. Dexter Chang (Reg. No. 44,071). Applicants and Mr. Chang, again, thank the Examiner for his time and consideration. During the interview, Mr. Chang pointed out, and the Examiner agreed, that Dohi et al., as cited and relied upon by the Examiner, fail to disclose changing a size of a unit increment or unit decrement where a reference signal-to-interference power ratio is modified by a plurality of the unit increment or unit decrement based on a measured error rate.

In other words, Dohi et al., as cited and relied upon by the Examiner, fail to disclose,

“[a]n outer-loop power control device in which a reference signal-to-interference power ratio, which is a basis of transmission power control by a communications environment, is variable, comprising:

a signal-to-interference power ratio measurement unit measuring a signal-to-interference power ratio of a receiving signal;

an error rate measurement unit measuring an error rate of receiving data;

a reference signal-to-interference power ratio modification unit setting either an observation time period of an error rate or a number of target observation blocks of the error rate, a unit increment of a reference signal-to-interference

power ratio, a unit decrement of the reference signal-to-interference power ratio and a target signal error rate in such a way to satisfy a prescribed relation equation, changing a size of one or more of the unit increment and the unit decrement of the reference signal-to-interference power ratio according to the measured error rate, and modifying the reference signal-to-interference power ratio by a plurality of the unit increment or unit decrement based on the measured error rate; and

a command generation unit generating a command for transmission power control by comparing the modified reference signal-to-interference power ratio with the measured interference power ratio,” as recited in claim 1. (Emphasis added)

Accordingly, Applicants respectfully submit that claim 1 is patentable over Dohi et al. for at least the foregoing reasons. Claims 12 incorporates features that correspond to those of claim 1 cited above, and is, therefore, patentable over Dohi et al. for at least the same reasons.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,

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